

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of  
Andrew J. POLCHA and  
Michael P. POLCHA

: Group Art Unit:

Serial No.: 10/748,743

: Examiner:

Filed: December 31, 2003

For: SYSTEM AND METHOD FOR PERFORMING PERSONAL IDENTIFICATION BASED  
ON BIOMETRIC DATA MODULATED USING SURFACE ACOUSTIC WAVES

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

☒ 1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits OR (iv) before the mailing of a first Office Action after the filing of a Request for continued examination under §1.114. No certification or fee is required. 37 C.F.R. §1.97(b).

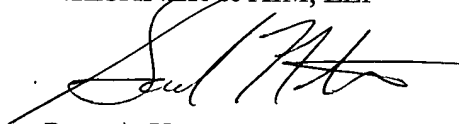
☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).

☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

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- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- ☐ c. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- ☐ 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- ☒ 4. Applicants wish to bring to the Examiner's attention the existence of the following co-pending U.S. Patent Applications which are directed to related technical subject matter:
- | <u>Serial No.</u> | <u>Filed</u>      | <u>Examiner</u> |
|-------------------|-------------------|-----------------|
| 10/748,436        | December 31, 2003 | Unassigned      |
| 10/748,438        | December 31, 2003 | Unassigned      |
| 10/748,680        | December 31, 2003 | Unassigned      |
- ☒ 5. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP



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Date: January 16, 2004

MLF:RAV:SWN/kdb

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**LIST OF PRIOR ART CITED BY  
APPLICANT  
(PTO-1449)**

ATTY. DOCKET NO.  
IQB-0022

APPLN. SERIAL NO.  
10/748,743

APPLICANT(S)  
Andrew J. POLCHA et al.

FILING DATE  
December 31, 2003

GROUP

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE

**U.S. PATENT APPLICATION PUBLICATIONS**

	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS	

**U.S. PATENT APPLICATIONS**

	*APPLN. NO.	*FILING DATE	*INVENTOR	CLASS	SUBCLASS	

**FOREIGN PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)**

	L.C. Jain et al. "Intelligent Biometric Techniques in Fingerprint and Face Recognition," CRC Press International Series on Computational Intelligence, (1999)
	MIT Media Laboratory, Vision and Modeling Group "An Automated System for Detection, Recognition & Coding of Faces," found at <a href="http://www-white.media.mit.edu/vismod/demos/facerec/system.html">www-white.media.mit.edu/vismod/demos/facerec/system.html</a>
	John Daugman "How Iris Recognition Works," University of Cambridge, The Computer Laboratory, found at <a href="http://www.cl.cam.ac.uk/users/jgd1000/">www.cl.cam.ac.uk/users/jgd1000/</a>
	"Iris Matching Engine, and Search Speed," found at <a href="http://www.cl.cam.ac.uk/users/jgd1000/">www.cl.cam.ac.uk/users/jgd1000/</a>
	Gerhard Zinser "Scanning Laser Doppler Flowmetry: Principle and Technique" Current Concepts on Ocular Blood Flow in Glaucoma, Kugler Publications (1999) pages 197-204 and website <a href="http://www.dgp.toronto.edu/~karan/courses/csc418/fall_2002/notes/colour.html">www.dgp.toronto.edu/~karan/courses/csc418/fall_2002/notes/colour.html</a>
	"Cornell Nano-Researchers Create Component for 'Lab on a Chip' that cuts DNA separation from a day to a matter of minutes," Cornell News, May 15, 2000

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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